

UNCLAS SECTION 01 OF 03 BUENOS AIRES 000190

SIPDIS

E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDEM](#) [AR](#)

SUBJECT: ARGENTINA: SUPPORTING HUMAN RIGHTS AND DEMOCRACY

REF: 04 SECSTATE 267453

¶1. The Government of Argentina (GOA) generally respected the human rights of its citizens; however, there were instances of killings and brutality by police and prison officials. There were prosecutions and convictions of police and prison officials but impunity remained a serious problem, as did allegations of corruption. Overcrowding in jails and prisons, as well as sub-standard conditions within those facilities, persisted. This problem was exacerbated by inordinate delays in investigations and trials and lengthy preventive detention periods. Lack of resources, the need for judicial reforms, and a weak investigative infrastructure make significant short-term improvements unlikely. Discrimination against minorities continued to be a concern but reports were similar to previous years, or down significantly in the case of immigrants. Coordination in combatting trafficking in persons remained an issue even as the Government of Argentina increased its efforts to improve its effectiveness and the issue of trafficking, including the sexual exploitation of minors, gained more attention.

¶2. Argentina continued to recover politically and economically from its recent economic crisis although widespread poverty and high unemployment levels remained. Argentina's press was free and independent, frequently critical of government policy and personnel, and civil society remained extremely active and engaged. The United States worked with the GOA, media, and civil society and security forces to strengthen democratic institutions, fight corruption and reinforce the concept of civilian control of military. The United States promoted key reforms such as ending the elections of representatives by party slate lists, increasing governmental transparency and limiting public corruption, and strengthening the effectiveness of the judicial branch.

¶3. U.S. Embassy Officials maintained a high-profile with national and provincial officials, press and civil society groups in investigating and following up on allegations of torture, abuse and extra-judicial killings. The Embassy engaged with national and provincial government authorities on specific human rights cases and maintained close contact with major human rights and civic education NGOs. Through its annual country reports on human rights, religious freedom and trafficking in persons, the Embassy maintains these issues in the public and official discourse. The Ambassador, the Deputy Chief of Mission and other Embassy Officers are in a continuous dialogue with the Argentine Ministry of Foreign Affairs regarding issues before the United Nations Commission on Human Rights and the United Nations General Assembly to ensure Argentina's support for improvements of human rights practices in the region and worldwide. The U.S. Embassy also continued to ensure that civic education programs, emphasizing respect for human rights and civilian control of the military, were an integral part of training provided to Argentine military personnel and Ministry of Defense (MOD) civilians. The U.S. Embassy continued to apply vigorous and comprehensive vetting of all military and MOD civilian participants in international military education and training programs, in compliance with the Leahy Amendment requirements. In 2004, Argentine Peacekeeping forces played a key role in the United Nations Stabilization Mission in Haiti (MINUSTAH).

¶4. As a top priority goal the United States continued to promote more responsive and sustainable democratic institutions and economic and political practices, and greater anti-corruption efforts and civil society participation. Throughout the year, U.S. Embassy officials, including the Ambassador, engaged in a continuing dialogue with Argentine policy and opinion makers on human rights, democratic governance and rule of law, including in public fora. On judicial reform, the Embassy sponsored several speakers who engaged local audiences on such issues as continuing education for judges, and conducted a series of digital video conferences (DVC) with a local consortium under the rubric of "Justice Undergoing Change," which provided a 20-hour "train the trainer" course. As a measure of its success, one of the Argentine participants in the course was invited to Guatemala to conduct a conflict-management session with that country's 22 provincial governors. Two speakers addressed Argentina's transition to jury trials. One speaker addressed the Senate, which is considering a bill to introduce the use of jury trials in cases of public corruption and other serious crimes. The second spoke to

large and enthusiastic audiences in Buenos Aires (including members of the Supreme Court, the Senate, City Council members, NGOs and members of the legal community) and engaged audiences in Cordoba, Mendoza, Misiones, Neuquen, and Entre Rios through DVCs.

15. Argentina has an active and engaged civil society, but some of its most marginalized and disadvantaged groups, such as indigenous communities, need assistance to support their efforts to organize. U.S. Speaker Sherry Salway-Black, Senior Vice President of the First Nations Development Institute and a member of the Lakota Sioux Tribe, offered Argentine indigenous communities the basic elements that make up community development and practical steps for reviewing and shaping the elements into a sustainable plan for community development. Using experiences of U.S. tribes, Ms. Salway-Black illustrated the importance of citizen participation by indigenous peoples in their communities to ensure their sustainable development. U.S. Speaker Joan Timeche, Assistant Director of the Native Nations Institute at the University of Arizona and member of the Hopi Tribe, shared success stories for building sustainable communities and nations, and for starting small businesses. Ms. Timeche's program included visits to some of Argentina's poorest indigenous communities. Her message of focusing on building strong communities through ethical leaders, good governance and the establishment of long-term, responsible public policies was well received by the indigenous Mapuche and Wichi audiences. Shortly after this program, the indigenous community of Amaicha del Valle threw out their corrupt chief of over 20 years, established a committee to review their constitution, and elected a new chief.

16. An unfortunate consequence of Argentina's economic decline in the late 1990s and the crisis in 2001 is the development of a growing underclass, visually represented by the "cartoneros" (an army of informal garbage collectors and unemployed -- including numerous minors -- who make a living collecting cardboard for recycling). "El Ceibo," a cartonero cooperative, contacted the Embassy's Information Resource Center after attending a meeting with a U.S. speaker on recycling. El Ceibo wanted to improve and expand their collecting and recycling activities and start selling directly to companies instead of through intermediaries that paid less for the materials. They were looking for project funding and the IRC was able to help them identify potential U.S. funding institutions and provided materials and advice on grant writing. Their grant proposal was funded, and El Ceibo will use the money to train its members and partners in all aspects of recycling and finance equipment. This project will directly improve the lives of the 200 cooperative members and their families and the lives of the residents of the neighborhood where the cooperative works.

17. Transparency and accountability in the public sector are essential elements in democratic governance and the protection of human rights. The United States continued to enhance transparency and public participation in the policy process by hosting International Visitor trips, programming U.S. speakers, and distributing materials. Melanie Ann Pustay, Deputy Director of the U.S. Department of Justice's Freedom of Information Office (FOIA) conducted a week-long workshop for some 100 Argentine Ministry of Justice officials on FOIA issues and practices. The Argentine Minister of Justice opened the workshop. Ms. Pustay, the Ambassador, and the Legal Attaché also participated in a WORLDNET interactive program on anti-corruption with some twenty Argentine NGOs and Anti-Corruption Office officials. In November, The Trust for the Americas/OAS together with the Argentine NGO Center for the Implementation of Public Policies Promoting Equity and Growth (CIPPEC), with U.S. Embassy support, began implementing an initiative to improve the quality of journalism in Argentina as a tool to fight corruption, both in the public and private sectors.

18. Richard Werksman, Principal Advisor to the State Department's Anti-Corruption Program, spoke to Argentine audiences to discuss the progress made at the Special Summit of the Americas in Monterrey on anti-corruption issues and the challenges still to be faced. Mr. Werksman opened Argentina's Catholic University's graduate program on public ethics and engaged with NGOs and government officials. Argentina is hosting the 2005 Summit of the Americas in November, and the United States will work closely with the hosts to ensure that anti-corruption and good governance remain essential elements of the process.

19. Combating trafficking in persons remained a top U.S. priority in Argentina. The Deputy Chief of Mission led U.S. inter-agency engagement with Argentine government officials, NGOs and international organizations. The Department of State's Regional G/TIP Coordinator visited Argentina twice in 2004, raising awareness of the issue, meeting with officials, prosecutors, the International Organization for Migration, and NGOs. He gave an interview to a major entertainment and news network, effectively explaining U.S. policy and ongoing

programs. The United States lobbied the GOA to formalize its inter-agency coordination process and appoint a focal point to direct activites. At the end of the year the Federal Office of Victim's Assistance under the Attorney General's Office was identified as the focal point for TIP activities.

GUTIERREZ